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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

5

Application Number

09/915,188

Filing Date

July 25, 2001

First Named Inventor

John C. Dute' et al.

Art Unit

2154

Examiner Name

Jungwon Chang

Attorney Docket Number

1-16437

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

Return Postcard

Remarks

Response to Notification of Non-Compliant Appeal Brief Under 37 CFR 41.37

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

MARSHALL &amp; MELHORN, LLC

Signature

Printed name

Stephen G. Kimmet

Date

October 2, 2006

Reg. No.

52,488

**CERTIFICATE OF TRANSMISSION/MAILING**

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Roberta A. Winzeler

Date

October 2, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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\_\_\_\_\_  
Roberta A. Winzeler  
(Name)  
Roberta A. Winzeler  
(Signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: John C. Dute' et al.	) Group Art Unit: 2154
Serial No.: 09/915,188	) Examiner: Jungwon Chang
	)
Filing Date: July 25, 2001	) Attorney Docket: 1-16437
	)
For: System, Device and Method for	)
Comprehensive Input/Output Interface	)
Between Process or Machine Transducers	)
and Controlling Device or System	)

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October 2, 2006

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**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF UNDER 37**

**CFR 41.37**

Honorable Sir:

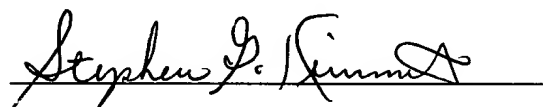
This document is in response to the notification of non-compliant appeal brief that  
was issued by the U.S. Patent and Trademark Office on September 26, 2006. The  
notification indicated that the appeal brief, which was mailed to the Office on March 30,  
2006, did not contain a related appeals and interference appendix.

In accordance with 37 CFR 41.37(c)(1)(x), attached hereto, is the related appeals and interference appendix which indicates that no related appeals and interference are being relied upon by appellants in the appeal.

### CONCLUSION

Accordingly, appellants submit that the appeal is now in compliance with 37 CFR 41.37.

Respectfully submitted,

A handwritten signature in cursive script, reading "Stephen G. Kimmet", is written over a horizontal line.

Stephen G. Kimmet  
Registration No. 52,488

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Brief on Appeal  
Serial No.: 09/915,188  
Response to Notification of Non-Compliance  
Date October 2, 2006

RELATED APPEALS AND INTERFERENCES APPENDIX



Brief on Appeal  
Serial No.: 09/915,188  
Response to Notification of Non-Compliance  
Date October 2, 2006

Related Appeals and Interferences

None